



Prison Act 1952

1952 CHAPTER 52 15 and 16 Geo 6 and 1 Eliz 2

Central administration

1 General control over prisons.

All powers and jurisdiction in relation to prisons and prisoners which before the commencement of the ^{M1}Prison Act 1877 were exercisable by any other authority shall, subject to the provisions of this Act, be exercisable by the Secretary of State.

Marginal Citations

M1 1877 c. 21.

2^{F1}

Textual Amendments

F1 S. 2 repealed by S.I. 1963/597, Sch. 1

3 ^{X1}Officers and servants of Prison Commissioners.

- (1) The Secretary of State [^{F2}may, for the purposes of this Act, appoint such officers and [^{F3}employ such other persons] as he] may, with the sanction of the [^{F4}Minister for the Civil Service] as to number, determine.
- (2) There shall be paid out of moneys provided by Parliament to [^{F2}the officers and servants appointed under this section] such salaries as the Secretary of State may with the consent of the [^{F4}Minister for the Civil Service] determine.

Editorial Information

X1 Unreliable marginal note

Status: Point in time view as at 28/04/2022.

Changes to legislation: Prison Act 1952, Cross Heading: Central administration is up to date with all changes known to be in force on or before 06 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F2** Words substituted by [S.I. 1963/597, Sch. 1](#)
- F3** Words in s. 3(1) substituted (3.2.1995) by 1994 c. 33, s. 168(2), [Sch. 10 para. 7](#); [S.I. 1995/127, art. 2\(1\)](#), [Sch. 1](#) Appendix B
- F4** Words substituted by virtue of [S.I. 1968/1656, art. 2\(1\)\(a\)](#)

4 ^{x2}General duties of Prison Commissioners.

- (1) [^{F5}The Secretary of State] shall have the general superintendence of prisons and shall make the contracts and do the other acts necessary for the maintenance of prisons and the maintenance of prisoners.
- (2) [^{F5}Officers of the Secretary of State duly authorised in that behalf], shall visit all prisons and examine the state of buildings, the conduct of officers, the treatment and conduct of prisoners and all other matters concerning the management of prisons and shall ensure that the provisions of this Act and of any rules made under this Act are duly complied with.
- (3) [^{F5}The Secretary of State and his officers] may exercise all powers and jurisdiction exercisable at common law, by Act of Parliament, or by charter by visiting justices of a prison.

Editorial Information

- X2** Unreliable marginal note

Textual Amendments

- F5** Words substituted by [S.I. 1963/597, Sch. 1](#)

5 ^{x3}Annual report of Prison Commissioners.

- [^{F6}(1) The Secretary of State shall issue an annual report on every prison and shall lay every such report before Parliament.]
- (2) The report shall contain—
- (a) a statement of the accommodation of each prison and the daily average and highest number of prisoners confined therein;
 - (b) such particulars of the work done by prisoners in each prison, including the kind and quantities of articles produced and the number of prisoners employed, as may in the opinion of the Secretary of State give the best information to Parliament;
 - (c) a statement of the punishments inflicted in each prison and of the offences for which they were inflicted, . . . ^{F7}

Editorial Information

- X3** Unreliable marginal note

Textual Amendments

- F6** S. 5(1) substituted by [S.I. 1963/597, Sch. 1](#)

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F7 Words repealed by [Criminal Justice Act 1967 \(c. 80\)](#), [Sch. 7 Pt. I](#)

[^{F8}5A Appointment and functions of Her Majesty's Chief Inspector of Prisons.

- (1) Her Majesty may appoint a person to be Chief Inspector of Prisons.
- (2) It shall be the duty of the Chief Inspector to inspect or arrange for the inspection of prisons in England and Wales and to report to the Secretary of State on them.
- (3) The Chief Inspector shall in particular report to the Secretary of State on the treatment of prisoners and conditions in prisons.
- (4) The Secretary of State may refer specific matters connected with prisons in England and Wales and prisoners in them to the Chief Inspector and direct him to report on them.
- (5) The Chief Inspector shall in each year submit to the Secretary of State a report in such form as the Secretary of State may direct, and the Secretary of State shall lay a copy of that report before Parliament.

[^{F9}(5A) Subsections (2) to (5) shall apply—

- (a) in relation to removal centres within the meaning of section 147 of the Immigration and Asylum Act 1999 (c. 33),
- (b) in relation to short-term holding facilities within the meaning of that section,
^{F10} ...
- [^{F11}(ba) in relation to pre-departure accommodation within the meaning of that section, and]
- (c) in relation to escort arrangements within the meaning of that section.]

[In their application by virtue of subsection (5A) subsections (2) to (5)—

- ^{F9}(5B) (a) shall apply to centres, facilities [^{F12}, accommodation] and arrangements anywhere in the United Kingdom, and
- (b) shall have effect—
 - (i) as if a reference to prisons were a reference to removal centres, short-term holding facilities [^{F13}, pre-departure accommodation] and escort arrangements,
 - (ii) as if a reference to prisoners were a reference to detained persons and persons to whom escort arrangements apply, and
 - (iii) with any other necessary modifications.]

[The Chief Inspector shall also inspect or arrange for the inspection of—

- ^{F14}(5C) (a) areas of the Crown Court, county courts and magistrates' courts where prisoners are detained in custody; and
- (b) any vehicle used to transport prisoners in custody to and from the Crown Court, county courts or magistrates' courts,
and shall report to the Secretary of State on them.]

- (6) The Chief Inspector shall be paid such salary and allowances as the Secretary of State may with the consent of the Treasury determine.]

[^{F15}(7) Schedule A1 to this Act (which makes further provision about the Chief Inspector) has effect.]

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Textual Amendments

- F8** S. 5A inserted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 57(1)**
- F9** S. 5A(5A)(5B) substituted for s. 5A(5A) (31.8.2006) by [Immigration, Asylum and Nationality Act 2006 \(c. 13\)](#), **ss. 46(1)**, 62(1)(2); S.I. 2006/2226, art. 3, Sch. 1
- F10** Word in s. 5A(5A)(b) omitted (28.7.2014) by virtue of [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 9 para. 8(2)(a)**; S.I. 2014/1820, art. 3(cc)
- F11** S. 5A(5A)(ba) inserted (28.7.2014) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 9 para. 8(2)(b)**; S.I. 2014/1820, art. 3(cc)
- F12** Word in s. 5A(5B)(a) inserted (28.7.2014) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 9 para. 8(3)(a)**; S.I. 2014/1820, art. 3(cc)
- F13** Words in s. 5A(5B)(b)(i) inserted (28.7.2014) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 9 para. 8(3)(b)**; S.I. 2014/1820, art. 3(cc)
- F14** S. 5A(5C) inserted (18.9.2012) by [The Public Bodies \(Abolition of Her Majesty's Inspectorate of Courts Administration and the Public Guardian Board\) Order 2012 \(S.I. 2012/2401\)](#), art. 1(2)(3), **Sch. 1 para. 2** (with art. 2)
- F15** S. 5A(7) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), **ss. 28(1)**, 53(1); S.I. 2007/709, art. 3(m) (with art. 6)

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